

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**ENTERED**

April 14, 2023

Nathan Ochsner, Clerk

## MELINDA RUTH HALL,

**Plaintiff,**

V.

**Civil Action No. 2:22-CV-00114**

**COMMISSIONER OF SOCIAL  
SECURITY, UNITED STATES  
ATTORNEY GENERAL, REGIONAL  
CHIEF COUNSEL – REGION VI,  
UNITED STATES ATTORNEY'S  
OFFICE,**

## Defendants.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the January 20, 2023, Memorandum and Recommendation (“M&R”) prepared by Magistrate Judge Julie K. Hampton. (Dkt. No. 15). Magistrate Judge Hampton made findings and conclusions and recommended that Plaintiff’s construed Motion for Summary Judgment be denied, and Defendants’ construed Motion for Summary Judgment be granted. (*Id.* at 1). Magistrate Judge Hampton further recommend that Plaintiff’s case be dismissed. (*Id.*).

The Parties were provided proper notice and the opportunity to object to the M&R.

*See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). On February 3, 2023, Plaintiff filed one objection. (Dkt. No. 16). Plaintiff disagreed with Magistrate Judge Hampton's determination that the ALJ adequately addressed the consistency and supportability of Dr. Joseph Laraker's medical opinion of Plaintiff's physical condition. (*Id.* at 1-4).

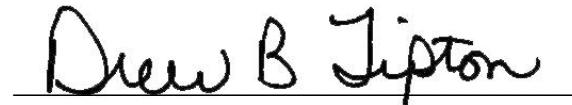
In accordance with 28 U.S.C. § 636(b)(1)(C), the Court is required to “make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

The Court has carefully considered de novo those portions of the M&R to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendations for plain error. Finding no error, the Court accepts the M&R and adopts it as the opinion of the Court. It is therefore ordered that:

- (1) Magistrate Judge Hampton’s M&R, (Dkt. No. 15), is **ACCEPTED** and **ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff’s construed Motion for Summary Judgment, (Dkt. Nos. 11, 12), is **DENIED**;
- (3) Defendants’ construed Motion for Summary Judgment, (Dkt. No. 14), is **GRANTED**; and
- (4) Plaintiff’s Complaint, (Dkt. No. 1), is **DISMISSED WITH PREJUDICE**.

It is SO ORDERED.

Signed on April 14, 2023.

  
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DREW B. TIPTON  
UNITED STATES DISTRICT JUDGE